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Patent

Attorney Docket: 267/211

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 267/211

First Named Inventor: WANG, Kangsheng

Prior Application Information: Serial No. 09/781,046 Examiner: Ton, Thaian N.

Art Unit: 1632

Assistant Commissioner for Patents Box Patent Application Washington, D. C. 20231

FILING UNDER 37 CFR § 1.53(b)

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continuation

divisional |

ontinuation-in-part (CIP)

application under 37 CFR § 1.53(b) of co-pending U.S. Application Serial No. 09/537,861 filed March 28, 2000, and co-pending U.S. Application Serial No. 09/781,046 filed on February 8, 2001, by

WANG, Kangsheng et al, entitled:

A NEW VECTOR FOR GENETICALLY MODIFYING NON-HUMAN ANIMALS

<u>For CONTINUATION or DIVISION APPS only</u>: The entire disclosure of the prior application, from which an oath or declaration is supplied, referenced above, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.

I. APPLICATION ELEMENTS ENCLOSED

L	1-2	22:	20	34	ŧ.]	

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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Express Mail Label No.	
December 31, 2001	
Date of Deposit	

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Name of Person Mailing Paper

Signature of Person Mailing Paper

II.

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	35	Page(s) of Written Description	
	5	Page(s) of Claims	
	1	Page(s) of Abstract	
	27	Sheet(s) of Drawings	
		Page(s) of Declaration or Declaration and Power of Attorney	
		Copy from prior application [37 CFR §1.63(d)]	
		☐ Newly executed	
		Other: Return Postcard	
	•		
•		Assignment papers (cover sheet and documents(s))	
		An Information Disclosure Statement, PTO 1449, with copies of cited items.	
		Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach	
	_	form PTO/SB/35	
		THE COURT AND TO SEE THE COURT OF THE COURT	
II. ·	FEE	CALCULATION	
		Applicant claims small entity status under 37 CFR 1.27.	
		BASIC FILING FEE: \$740.00	
	Tot	- 20 = 0 x \$18.00 \$0.00	
		ependent Claims - $3 = 0 \times \$84.00 \times \0.00	
		Itiple Dependent Claims \$280 (if applicable) \$0.00	
		TOTAL OF ABOVE CALCULATIONS \$740.00	
	Reduction by ½ for Filing by Small Entity. \(\square\) \$0.00		
		sc. Filing Fees (Recordation of Assignment) \$0.00	
		TOTAL FEES DUE HEREWITH \$740.00	
III.	PRI	ORITY - 35 USC § 119	
		Priority of application Serial No filed on in <u>Country</u> is claimed under 35 USC § 119.	
		The certified copy has been filed in prior U.S. application Serial Noon	
		The certified copy will follow.	
	لسيا		
IV.	AM	ENDMENTS	
		Cancel in this application original Claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes if no new claims are added in a preliminary amendment.)	

		Attorney Docket: 207/211		
		A Preliminary Amendment is enclosed. (Claims added by Amendment must be numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)		
V.	RELA	TE BACK - 35 USC § 120		
	\boxtimes	Relate back information included in preliminary amendment or specification.		
		Please amend the specification as follows:		
		[Enter continuing data here]		
		With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC § 120, the inventor(s) in this application is (are) [37 CFR 1.53(b)(1)]:		
		the same.		
		less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted [see 37 CFR §§1.33(b) AND 1.63(d)(2)]:		
		[Name(s) of inventor(s) to be deleted]		
VI.	METHOD OF PAYMENT OF FEES			
	П	Attached is a check in the amount of		
		Charge Lyon & Lyon's Deposit Account No. 12-2475 in the amount of		
	\boxtimes	Not attached. No filing fee is submitted. [This and the surcharge required by 37 CFR § 1.16(e) can be paid subsequently.]		
VII.	AUTI	HORIZATION TO CHARGE ADDITIONAL FEES		
	No. 12	commissioner is hereby authorized to credit Lyon & Lyon's Deposit Account 2-2475 for any over payment of fees and to charge the following additional fees by this and during the entire pendency of this application to Deposit Account No. 12-2475:		
		37 CFR § 1.16 (Filing fees and excess claims fees)		
		37 CFR § 1.17 (Application processing fees)		
		37 CFR § 1.21 (Assignment recordation fees)		
VIII.	POW	ER OF ATTORNEY & CORRESPONDENCE ADDRESS		
		The power appears in the original papers in the prior application.		
		The power does not appear in the original papers, but was filed on in prior application Serial No		
	П	A new power has been executed and is attached.		

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Please send all correspondence to Customer Number 22249:



PATENT TRADEMARK OFFICE

LYON & LYON LLP Suite 4700 633 W. Fifth Street Los Angeles, CA 90071 (213) 489-1600

Please direct all inquiries to Samuel N. Tiu, at the above Customer Number.

IX.	MAINTENANCE OF CO-PENDENCY OF PRIOR APPLICATION		
		A petition, fee and response has been filed to extend the term in the pending prior application until A copy of the petition for extension of time in the prior application is attached.	
		A conditional petition for extension of time is being filed in the pending prior application. A copy of the conditional petition for extension of time in the prior application is attached.	
Χ.	ABANDONMENT OF PRIOR APPLICATION		
(<u>f</u>)		Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application. At the same time, please add the words "now abandoned" to the amendment of the specification set forth in Item V above.	
		Respectfully submitted,	
		LYON & LYON LLP	
Dated:	: <u>Decer</u>	mber 31, 2001 By: Samuel Ru	
		Samuel N. Tiu Reg. No. 47,997	